

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
February 23, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation - Cammie Funston, Inter-Faith Ministries
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Recognition of Wichita Fire Department for Extraordinary Assistance.
- Presentation of Certificates for City/County Executive Development Institute.
- Acceptance of Artwork Donated by Chief Otunba Zacheus Olowonubi Oloruntoba.
- Proclamations.

UNFINISHED BUSINESS

1. Repair or Removal of Dangerous and Unsafe Structure. (District VI)

A hearing will be held on the property located at 5503 N. Sullivan. (Continued from February 2, 1999.)

RECOMMENDED ACTION: Close the Public Hearing, and adopt the Resolution.
2. S/D 98-41 - Plat of Copper Gate Addition Located on the Northwest and Southwest Corner of 13th Street North and 135th Street West. (District V)

At the request of the Applicant, the City Council previously deferred action on this item. (Continued from February 9, 1999.)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; and adopt the Resolutions.

3. CU-500 - Conditional Use Request to Allow Vehicle Sales on Property Located at the Southeast Corner of Rock Road and Harry Street. (District II)

At the request of the Applicant, the City Council previously deferred action on this item. (Continued from February 9, 1999.)

MAPC Recommendation: Approve the Conditional Use request.

CPO Recommendation: Approve the Conditional Use request.

Staff Recommendation: Deny the Conditional Use request.

RECOMMENDED ACTION: (1) Concur with the findings of the MAPC and approve the Conditional Use request, subject to the recommended conditions; or
(2) Deny the request; or
(3) Return the application to the MAPC for reconsideration.

NEW BUSINESS

4. Infill Housing Incentives: Fee Waivers.

Incentives to attract new development into areas targeted for revitalization and encourage inner City redevelopment will be considered.

RECOMMENDED ACTION: Reaffirm the 50% waiver or provide a 100% waiver for new residential development within the targeted areas.

5. Minneha Township Sewer System Acquisition. (District II)

A portion of the Minneha Sewer District has been incorporated into the City by annexation. Negotiations between the District and City Staff have been completed.

RECOMMENDED ACTION: Approve the purchase agreement and bill of sale, and authorize the Mayor to sign.

6. Consideration of Proposed GIS Master Plan.

The GIS Master Plan provides a guide in developing a comprehensive Geographic Information System for the City. The proposed action plan, together with priorities, will be presented to the City Council for approval.

RECOMMENDED ACTION: Adopt the GIS Master Plan.

CITY COUNCIL AGENDA

7. Board/Commission Appointments (for terms expiring June 30, 1999):

Commission on the Status of People with Disabilities (Lambke)
Convention & Tourism Committee (Ferris)
Human Services Board (2 appointments - Council at large)
Police & Fire Retirement Board of Trustees (Rogers)
Wichita Commission on the Status of Women (2 appointments - Lambke)
Wichita-Sedgwick County Correctional Housing Board (Knight - Municipal Court Probation)

RECOMMENDED ACTION: Make the appointments.

8. Nomination to Sedgwick County Solid Waste Management Committee.

RECOMMENDED ACTION: Make the nomination.

9. Proclamations:

-- Professional Social Work Month.
-- Educators' Appreciation Week.
-- Mental Retardation Awareness Month.

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

10. Reports of the Board of Bids and Contracts Dated February 16, 1999, and February 22, 1999.

RECOMMENDED ACTION: Receive and file the reports; approve the Contracts; and authorize the Mayor to sign.

11. Application for License for Adult Entertainment Establishment/Service.

New Escort Service 1999

Lori Johnson

Entertainment 2000
1328 East Douglas

RECOMMENDED ACTION: Approve the license subject to Staff review and approval.

12. Application for License to Retail Cereal Malt Beverages.

Sisouwat Thonghanh

Private Party
3535 West Douglas

RECOMMENDED ACTION: Approve the license subject to Staff review and approval.

13. Plans and Specifications:

- a. 1999 Enhanced Maintenance Rubberized Crack Sealing of Asphalt Streets. (706648 (D)/405218) Traffic to be maintained through construction. City Council approval date: 10/13/98. (Districts III and V)
- b. 1999 Enhanced Maintenance Concrete Crack Sealing Phase 1 (706648(E)/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (District V)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., March 5, 1999.

14. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

15. Preliminary Estimates:

- a. 1999 contract maintenance quickset slurry seal, curb & gutter repair; AND crack sealing in the Cherry Creek area south of Harry, east of Rock Road. (131557/132258/110000/112000) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (District III) - \$369,010.00
- b. 1999 contract maintenance thermal crack repair (full depth) of asphalt streets at various locations. (132266/112000) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. \$270,750.00
- c. 1999 contract maintenance nova chip of asphalt streets at various locations. (132290/112000) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (Districts I, II, V and VI) - \$386,606.00
- d. 1999 enhanced maintenance rubberized crack seal (RS-205) of asphalt streets at various locations. (706648-A/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (Districts II, III, V and VI) - \$150,000.00
- e. Water distribution system to serve Prairie Woods Second Addition - north of Pawnee, west of Maize. (448-89257/734902/470572) Does not affect existing traffic. City Council approval date: 1/5/99. (District V) - \$90,700.00
- f. Water distribution system to serve Smithmoor Eighth Addition - south of Harry, west of Webb. (448-89302/734900/470570) Does not affect existing traffic. City Council approval date: 8/4/98. (District II) - \$39,200.00
- g. Water distribution system to serve Arbor Lakes Estates - south of Harry, west of 159th Street East. (448-89357/734905/470575) Does not affect existing traffic. City Council approval date: 2/9/99. \$59,000.00
- h. Water distribution system to serve Arbor Lakes Estates - south of Harry, west of 159th Street East. (448-89269/734632/470541) Does not affect existing traffic. City Council approval date: 6/2/98. \$90,000.00

- i. Water Distribution System to serve Clark Estates - south of Central, east of 143rd Street East. (448-89281/734624/470540) Traffic to be maintained through construction. City Council approval date: 6/9/98. - \$67,000.00
- j. Elimination of dead-end mains - along 33rd Street South, west of Meridian. (448-89317/635581/544658) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 1/6/98. (District IV) - \$100,000.00
- k. Water Distribution System to serve Northridge Lake Patio Homes Addition - north of 21st Street, east of Tyler. (448-89362/734904/470574) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$23,000.00
- l. Lateral 397, Southwest Interceptor Sewer to serve Prairie Woods Second Addition - north of Pawnee, west of Maize. (468-82822/743785/480473) Does not affect existing traffic. City Council approval date: 1/5/99. (District V) - \$134,700.00
- m. Lateral 162, Sanitary Sewer #22 to serve Woodlake Addition - south of Second Street, west of St. Paul. (468-82951/743786/480474) Does not affect existing traffic. City Council approval date: 1/26/99. District IV) - \$15,400.00
- n. Lateral 423, Southwest Interceptor Sewer to serve Northridge Lake Patio Homes Addition - north of 21st Street, east of Tyler. (468-82958 743787/480475) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$83,950.00
- o. 1999 sanitary sewer rehabilitation program, Phase A. (468-82959/620245 /533376) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/6/99. (Districts I and VI) - \$255,773.16
- p. Hickory from the east line of the plat, west to the west line of Azure Circle; Birch from the south line of Hickory, south and west to the west line of Lot 8, Block C; Azure Circles serving Lots 15 - 22, Block C (from the south line of Hickory, south to and including the cul-de-sac), and Lots 12 - 29, Block D (from the north line of Hickory, north to and including the cul-de-sac), and; sidewalk along the north and south side of Hickory, and along the east and south side of Birch, and along the east side of Azure, Buckhead Third Addition - north of Central, west of 119th Street West. (472-82946/765123 /490-614). Does not affect existing traffic. City Council approval date: 6/16/98. (District V) - \$328,000.00
- q. Decel Lane on the west side of Meridian Avenue (major entrance and RCBC) YMCA South Addition - west of Meridian, north of I-235. (472-82951/765289 /490630) Traffic to be maintained during construction. City Council approval date: 6/23/98. (District IV) - \$125,350.00
- r. Chateau from the south line of Smithmoor Third Addition to the south line of Smithmoor Eighth Addition - south of Harry, east of Webb. (472-82986/765547 /490614) Does not affect existing traffic. City Council approval date: 7/28/98. (District II) - \$118,000.00
- s. Crestwood/Rocky Glen from the east line of Rocky Creek Parkway to the north line of Lot 48, Block 6; Crestwood Court serving Lots 43 through 47, Block 6, from the south line of Crestwood to and including cul-de-sac; and sidewalk on the north and west side of Crestwood/Rocky; Rocky Creek & Rocky Creek Second Additions - north of 13th Street, east of 127th East. (472-83033/765495 /490651) Does not affect existing traffic. City Council approval date: 12/15/98. (District II) - \$314,600.00
- t. Northridge Court serving Northridge Lake Patio Homes Addition - north of 21st Street, east of Tyler. (472-83065/765551/490662) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$253,000.00

RECOMMENDED ACTION: Approve and file.

16. Petitions for Public Improvements:

- a. Construct a sanitary sewer to serve The Havens Addition - south of Central, west of 119th Street West. (District V)
- b. Water distribution system to serve Eastside Community Addition - south of 21st Street, east of Greenwich. (District II)

RECOMMENDED ACTION: Approve the Petitions and adopt the Resolutions.

17. Minutes of Advisory Boards/Commissions:

Board of Park Commissioners, 2-8-99
Board of Code Standards and Appeals, 1-4-99
CPO Northeast Council 1, 2-8-99
CPO East Council 2, 2-8-99
CPO Southeast Council 3, 1-28-99
CPO Southeast Council 3, 2-11-99
CPO Southwest Council 4, 2-11-99
CPO Southwest Council 4, 2-28-99
CPO Northwest Council 5, 2-10-99
Metropolitan Area Planning Commission, 12-3-98
Police & Fire Retirement System of Wichita, 12-23-99
Sister Cities Advisory Board, 1-8-99
Wichita Employees' Retirement System, 12-16-98
Wichita Historic Preservation Board, 1-11-99
Wichita/Sedgwick County Alcohol and Drug Abuse Advisory Board, 1-14-99
Wichita-Sedgwick County Board of Health, 1-21-99

RECOMMENDED ACTION: Receive and file.

18. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

19. Settlement of Claim.

RECOMMENDED ACTION: Authorize payment of \$12,500 as a full settlement of all possible claims arising out of the accident.

20. Agreements/Contracts:

- a. Removal of Gate and Fence at 33rd Street North and Ohio. (District VI)
- b. Railroad Crossing - Central Kansas Railway tracts at Bayley Street between Water and Market. (District I)
- c. Custodial services Contract amendment.

RECOMMENDED ACTION: Approve the Agreements/Contracts, and authorize the Mayor to sign.

21. Budget Transfer - Golf Fund Capital Budget.

RECOMMENDED ACTION: Approve the budget increase.

22. Gilbert and Mosley TIF Fund Balance.

RECOMMENDED ACTION: Approve the year-end closing audit adjustment by authorizing transfer of funds from the North Industrial Corridor Fund to the Gilbert Mosley Fund.

23. Purchase Option - Kinder Care Learning Centers, Inc. (Districts II, III, and V)

RECOMMENDED ACTION: Approve the special warranty deed and termination of lease agreement; adopt the Resolution; and authorize the Mayor to sign the necessary documents.

24. Approval of 1999 Community Services Block Grant Application.

RECOMMENDED ACTION: Approve the grant application and receipt of grant funds, and authorize the necessary signatures.

25. Professional Development Schools Grant.

RECOMMENDED ACTION: Approve the proposed grant and authorize the necessary budget adjustments and expenditures, subject to conditions.

26. Pawnee Prairie Golf Course Irrigation. (District V)

RECOMMENDED ACTION: Approve the purchase.

27. Donation of Nigerian Artwork.

RECOMMENDED ACTION: Accept the donation.

28. Donation of Property at 3501 South Washington. (District III)

RECOMMENDED ACTION: Accept the donation.

29. Street Right-of-Way Dedication - 135th Street West Between Kellogg and Maple. (District V)

RECOMMENDED ACTION: Approve the street dedication, and authorize the Mayor to sign.

30. Property Acquisitions:

a. Easement for the Meridian Street Improvement Project. (District VI)

b. 505 South Webb - - East Kellogg Improvement Project. (District II)

RECOMMENDED ACTION: Approve the budgets and Contracts, and authorize the Mayor to sign the necessary documents.

31. Disposition of Land in Westbank Urban Renewal Area. (District IV)

RECOMMENDED ACTION: Receive and file the Notice of Intent, and authorize publication of competing proposals and the Notice of Intent.

32. Request for Proposal to Hire Consultants for Acquisition and Relocation for US-54 Reconstruction Project.
(Districts II and V)

RECOMMENDED ACTION: Authorize Staff to solicit acquisition and relocation assistance on a nation-wide basis, authorize the Mayor to sign the necessary documents.

33. Rescinding Resolution.

RECOMMENDED ACTION: Adopt the Resolution.

34. Second Reading Ordinances: (First read February 9, 1999)

a. Implementation of the cultural arts plan.

An Ordinance of the City of Wichita creating the Art and Design Board, amending Code Sections 2.12.1120, 2.12.1122, 2.12.1124, 2.12.1126, and 2.12.1128; and repealing the originals of said sections and Section 2.12.1130.

b. Creation of the Department of Housing.

An Ordinance of the City of Wichita creating the Department of Housing; amending Code Sections 2.08.120 and 2.08.210; and repealing the originals thereof.

c. SCZ-0703 - North of 21st Street North on the west side of Maize Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas.
SCZ-0703

d. Z-3303 - North of K-42 between Tyler Road (old alignment) and Hoover Road. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. Z-3303

e. A 99-2 - Annexation of property-southwest corner of 21st Street North and Ridge Road. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-2

f. A 99-4 - Annexation of property generally located ½ mile south of 13th Street North on the east side of Webb Road. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-4

g. A 99-6 - Annexation of property-southeast corner of 37th Street North and Ridge Road. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and

boundaries of the City of Wichita, Kansas, and relating thereto. A 99-6

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

35. S/D 98-21 - Plat of Deer Creek Estates 2nd Addition, Located on the North Side of 55th Street South, on the East Side of West Street.

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; adopt the Resolutions; and authorize the Mayor to sign.

*36. S/D 98-69 - Plat of Hajoca Co. Addition Located on the Southwest Corner of Murdock and Hydraulic.
(District I)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat; authorize the Mayor to sign; and approve first reading of the Ordinance.

*37. S/D 98-92 - Plat of Sunnyside Village Addition Located West of Hillside, South of Kellogg. (District I)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; adopt the Resolutions; and approve first reading of the Ordinance.

*38. S/D 98-93 - Plat of Northeast Maintenance Substation Addition Located on the Southwest Corner of 33rd Street North and Hillside. (District I)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; adopt the Resolution; and authorize the Mayor

to sign as to approval of the Plat, the City's ownership interest and the Petition.

- *39. S/D 98-94 - Plat of Roadhouse Blues Addition Located on the Northwest Corner of 37th Street North and Broadway. (District VI)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; adopt the Resolutions; and approve first reading of the Ordinance.

40. S/D 98-105 - Plat of Aria Intenational Addition Located on the Northwest Corner of Central and 127th Street East.

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat, and authorize the Mayor to sign.

41. Public Hearing - V-2143 - Request to Vacate 20 Foot Utility Easement and Emergency Access Easement Located South of 21st Street North and West of Ridge Road. (District V)

MAPC Recommendation: Approve vacation of 20 foot utility easement and emergency access easement.

Staff Recommendation: Approve vacation of 20 foot utility easement and emergency access easement.

RECOMMENDED ACTION: Close the public hearing; approve the Vacation Order; and authorize the Mayor to sign.

Adjourn to Workshop.

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